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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,696	02/04/2002	Steve Russel Falcon	MS1-902US	4255
7590	10/11/2005		EXAMINER	
JAMES R. BANOWSKY LEE & HAYES, PLLC SUITE 500 421 W. RIVERSIDE AVE SPOKANE, VA 99201			ARMSTRONG, ANGELA A	
			ART UNIT	PAPER NUMBER
			2654	
			DATE MAILED: 10/11/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/067,696	FALCON ET AL.	
	Examiner	Art Unit	
	Angela A. Armstrong	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 February 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-11, 13-21 and 23-36 is/are rejected.
- 7) Claim(s) 12, 22 and 37 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 2-3 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "the associated speech recognition application" in lines 3-4.

There is insufficient antecedent basis for this limitation in the claim.

Claim 3 incorporates the indefiniteness by dependency.

Claim 8 recites the limitation "the recognition term" in lines 6-7. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11, 13-21, and 23-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Cox (US Patent No. 6,192,339).

Cox discloses a mechanism for managing multiple speech applications.

3. Regarding claim 1, Cox discloses a speech system (Figure 2), comprising: a speech engine configured to recognize commands from a user and make announcements to the user (Figure 2; col. 7, line 61 to col. 8, line 6); a speech server having a speech server interface through which multiple speech-enabled applications communicate with the speech system, and a speech application programming interface through which the speech server communicates with the speech engine (Figures 5-7; col. 5, lines 36-45; col. 6, line 47 to col. 7, line 48); and wherein the speech server manages concurrent processing of interactions submitted by the speech-enabled applications while allowing each speech-enabled application to utilize a different speech recognition grammar (Figures 5-7; col. 5, lines 36-45; col. 6, line 47 to col. 7, line 48).

Regarding claim 2, Cox discloses the speech server is configured to support persistent grammars for the speech-enabled applications so that a user command belonging to a persistent grammar is recognized whether the associated speech recognition application is running or not (col. 5, lines 1-52).

Regarding claim 3, Cox discloses the speech server is further configured to launch a speech-enabled application if the speech-enabled application uses a persistent grammar and the speech-enabled application is idle when a recognition is made that belongs to the persistent grammar used by the speech-enabled application (col. 5, lines 1-52).

Regarding claim 4, Cox discloses the speech server is further configured to: support yielding grammars for the speech-enabled applications; and deactivate all but one active yielding grammar (col. 5, lines 1-52).

Regarding claim 5, Cox discloses the speech server is further configured to: support yielding grammars and global grammars for the speech-enabled applications; and activate the global grammars and continuously monitor for recognitions in the global grammars (col. 5, lines 1-52).

Regarding claim 6, Cox discloses a grammar table for each grammar used by the speech-enabled applications, each grammar table containing one or more grammar attributes for the grammar with which it associated (col. 6, lines 18-33).

Regarding claim 7, Cox discloses a grammar attribute in each grammar table is a grammar identifier that uniquely identifies the grammar associated with the grammar table (col. 6, lines 18-33).

Regarding claim 8, Cox discloses a grammar attribute in each grammar table is an executable command of a speech-enabled application that, when executed, launches the speech-enabled application (col. 6, lines 18-33); and the speech server is further configured to execute the executable command to launch the speech-enabled application when the speech server recognizes the recognition term issued by a user and the speech-enabled application is not loaded (col. 5, lines 1-52).

Regarding claim 9, Cox discloses a grammar attribute in each grammar table is a global flag that, if set, indicates that the grammar associated with the grammar table is a global grammar that may not be deactivated by the speech server (col. 6, lines 18-33; col. 5, lines 1-52).

Regarding claim 10, Cox discloses a grammar attribute in each grammar table is a persistent flag that, if set, indicates that the grammar associated with the grammar table is a persistent grammar that may be launched by the speech server when the speech server recognizes a command belonging to the grammar; and an application associated with the persistent grammar is launched by the speech server when the speech server recognizes a command belonging to the grammar (col. 6, lines 18-33; col. 5, lines 1-52).

Regarding claim 11, Cox discloses a grammar attribute in each grammar table is an active flag that, if set, indicates that the grammar associated with the grammar is currently active (col. 6, lines 18-33; col. 5, lines 1-52).

Regarding claim 13, Cox discloses a master grammar table that contains each grammar table used by the speech recognition applications (col. 6, lines 18-33).

Regarding claims 14-21 and 23-36, claims 14-21 and 23-36 are similar in scope and content to claims 1-11 and 13, and are therefore rejected under similar rationale.

Allowable Subject Matter

4. Claims 12, 22, and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Johnson (US Patent No. 5,748,974) discloses multimodal natural language interface for cross-application tasks.

Cote et al (US Patent No. 6,125,347) discloses a system for controlling multiple user application programs by spoken input.

Balakrishnan (US Patent No. 6,233,559) discloses speech control of multiple applications using applets.

Jacklin et al (US Patent No. 5,838,969) discloses a system and method for collecting and dispatching selected events in a computer application program.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 571-272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2654

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Angela A Armstrong
Examiner
Art Unit 2654

AAA
September 30, 2005

Angela Armstrong